



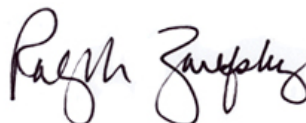
1 the locus of Defendants or their activities. ‘Information and belief’ are not magic words  
2 that properly can be used to permit a wishful guess.” In the 1AC, Plaintiff now positively  
3 avers that Defendants “are citizens of the State of California. They also reside or do  
4 business in Los Angeles, California.” 1AC ¶ 5. Gone is the statement based on  
5 information and belief.

6 It is the Court’s duty to assure itself that it has subject-matter jurisdiction. By  
7 signing any paper filed with the Court, counsel is “certif[ying] that[,] to the best of  
8 [counsel]’s knowledge, information[] and belief, formed after an inquiry reasonable under  
9 the circumstances[,] . . . the factual contentions have evidentiary support or, if specifically  
10 so identified, will likely have evidentiary support after a reasonable opportunity for further  
11 investigation and discovery.” FED. R. CIV. P. 11(b), (b)(3). In light of the change in  
12 Plaintiff’s pleadings (with no apparent basis for greater knowledge about Defendants’  
13 citizenship, and no names for any of them), it appears that the pleading may violate Rule  
14 11.

15 Accordingly, and pursuant to FED. R. CIV. P. 11(c), the Court ORDERS  
16 Plaintiff TO SHOW CAUSE why her pleadings do not violate FED. R. CIV. P. 11(b). The  
17 Court sets a hearing on this OSC, together with a hearing on the March 3 OSC, for  
18 10:00 a.m. on Monday, April 21, 2014 in Courtroom 540 of the Roybal Federal Building.  
19 By April 14, Plaintiff shall file a memorandum proffering the evidence supporting her  
20 averment that Defendants are citizens of the state of California. Plaintiff may include in  
21 her memorandum any additional pertinent matters, including any legal authorities.

22 IT IS SO ORDERED.

23  
24 DATED: April 4, 2014

25  
26 

27 RALPH ZAREFSKY  
28 UNITED STATES MAGISTRATE JUDGE